

Zoning Administrator Hearing

Minutes



John S. Gendron
Zoning Administrator/Hearing Officer

August 12th, 2014 – 1:30 p.m.

View Conference Room, 2nd Floor
55 North Center Street
Mesa, Arizona, 85201

Staff Present

Angelica Guevara
Mike Gildenstern

Others Present

Curtis Krausman
Stephen Ganstrom

CASE:

Case No.: ZA14-002

Location: 1717 North Ashbrook Circle

Subject: Requesting a variance to allow an encroachment into a required side yard in the RS-9 zoning district. (PLN2014-00382)

Decision: Withdrawn

Summary: This item was withdrawn and was not discussed on an individual basis.

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CASE:

Case No.: ZA14-003

Location: 2506 and 2518 West Broadway Road

Subject: Requesting a variance to allow a fence to exceed the maximum height allowed in the LI zoning district. (PLN2014-02726)

Decision: Case ZA14-003 was approved, *conditioned upon the following:*

- 1. Compliance with the site plan submitted except as modified by the conditions below:*
- 2. Compliance with all requirements of the Developmental Services Division with regard to the issuance of building permits.*

Summary: The applicants Curtis Krausman (55 N. Center St.) and Stephen Ganstrom (55 N. Center St.) gave a brief description of the project and confirmed for the Hearing Officer that the new facility would be built behind the existing lift station.

Mr. Krausman confirmed for Mr. Gendron that there were no plans to widen Broadway Road and that the roadway was at ultimate build-out, the only possible expansion could either be either a bus stop or a deceleration lane. The applicants confirmed that the sidewalks were in the ultimate condition, and would not need to be moved or expanded. Mr. Krausman went on to explain that the back of curb/back of walk was at 44.5 feet and 55 feet to the right-of-way, which was the ultimate expansion width of the roadway.

The applicants confirmed for Mr. Gendron that the vacant parcel adjacent to the project is land held by the City and may be sold or developed by the Transportation Department. They also confirmed for Mr. Gendron that a driveway was being constructed to service the new station, but it could also be used by the adjacent vacant lot as a cross-access easement if the land should be sold and developed at a future date.

The applicants explained to Mr. Gendron that there would be no razor wire mounted on top of the wall. Mr. Krausman explained, however, that security has been an issue and that some other lift stations have had issues with vagrants, vandalism, and theft of stainless steel and other equipment.

Mr. Krausman explained that when the project was initiated, the intention was that the site should have two addresses, to create a distinction between the vacant lot and the lift station, therefore it is addressed 2506 and 2518 W. Broadway Road. Staff member Guevara added that the case was advertised with two Broadway Road addresses so as to sufficiently advertise the site.

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Staff member Guevara confirmed that a wall located in the front yard is allowed a 3.5 feet maximum height, and a 6 feet maximum height when located out of the front yard. Ms. Guevara went on to explain that an 8 foot wall was being requested for security and screening purposes. She went on to explain that per zoning requirements, the wall would normally have to be constructed 30 feet behind the future width line, which is 65 feet from the street center.

When Mr. Gendron asked for Staff Comment, Mrs. Guevara explained that staff is supportive because the higher wall helps provide increased security, it presents more of a deterrent for vandalism, and it offers additional screening for equipment. She went on to explain that the applicant needs to operate the existing facility while the new one is under construction and the new facility must be located close by, so the request is not a self-imposed hardship. She explained that the variance allows them to meet goals, and that the applicant is providing landscaping between the sidewalk and the front of the wall. She conceded that the applicant is requesting some unique requirements, but they do meet the criteria for Staff to support the variance.

Mr. Gendron reminded the applicant that variances expire a year after issuance, and verified that funding was secured for the project. He concluded that he was supportive of the variance because security is a legitimate concern, the facility would not be located with the future right of way, and the project is for the public benefit.

FINDINGS:

1. There are special conditions that apply to this request. There is an existing lift station that must remain operational at all times during the expansion and replacement of aging equipment. Due to this unique circumstance, the City is forced to construct a new lift station directly north of the existing lift station. The new pump station must be located as close as possible to the existing pump station in order to minimize service interruptions when the switchover occurs to the new lift station.
2. Due to higher security restrictions in the country, the Utilities Department has established a policy requiring all well and lift station sites to increase the height of the perimeter walls to 8 feet in height. The security concerns related to an unmanned lift station which provides access to the City's infrastructure are valid and establish a unique condition that is not self-imposed that does not apply to conventional development.
3. The requested variances allow the lift station to be expanded and upgraded in a manner that is consistent with the unique requirements of a lift station. The unique conditions that exist are related to the use and are not self-imposed. The granting of the variance allows the equipment to be upgraded while minimizing service interruptions, and provides for increased safety of the City's infrastructure. For these reasons the variance would not grant any special privileges unavailable to neighboring properties that do not have the same development conditions.

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There being no further business to come before the Zoning Administrator, the hearing adjourned at 1:45 p.m.

The cases for this hearing were digitally recorded and are available upon request.

Respectfully submitted,

Gordon Sheffield
Zoning Administrator/Hearing Officer

Minutes written by Mike Gildenstern, Planning Assistant